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THE HONORABLE EDWARD F. SHEA

**UNITED STATES DISTRICT COURT
 EASTERN DISTRICT OF WASHINGTON**

DAVID TROUPE, Plaintiff, v. WASHINGTON STATE PENITENTIARY; KENNITH R. BRODHEAD; LINDA W. BELANGER; KEVIN WALKER, and CHRISTOPHER BOWMAN Defendants.	NO. 13-5028-EFS PROPOSED ORDER OF PROTECTION
DAVID TROUPE, Plaintiff, v. WALTER J. END, Defendant.	NO. CV-13-5036-EFS PROPOSED ORDER OF PROTECTION
DAVID TROUPE, Plaintiff, v. KATRINA SUCKOW, BONNIE KLAHN, THOMAS ROE, and DANA O. FAYETTE, Defendants.	NO. CV-13-5038EFS PROPOSED ORDER OF PROTECTION

~~PROPOSED~~

ORDER OF PROTECTION

I. BASIS

This matter came before the Court without oral argument on the Motion For Protective Order and Limitation Re Discovery. The Defendants were represented by Amy Clemmons, Assistant Attorney General. The Plaintiff represented himself, pro se. The Court, having considered the pleadings on file and argument of counsel in written briefs, finds good cause to enter a protective order restricting contacts by Plaintiff and discovery in the litigation as set out below.

II. FINDINGS

Pursuant to Fed. R. Civ. Proc. 26(b) and (c), the Court finds that Plaintiff has engaged in conduct with the intent to annoy, embarrass or oppress the Defendants and has not acted in a professional manner during phone contacts with counsel relating to the pending litigations in federal court. Good cause exists to limit the plaintiff's contacts to written communications only due to his behavior and past pattern of conduct as set out in prior injunctive orders by other courts.

III. ORDER

NOW THEREFORE, based upon the above Findings of Fact, IT IS HEREBY ORDERED that:

- 1) Plaintiff shall be limited to discovery within the parameters of the court rules and relevant to the pending litigation. Plaintiff has restrictions on requests for public records as indicated in injunctive orders entered by other courts. The litigations filed in federal court

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ORDER OF PROTECTION

1 shall not be utilized as an alternative means to request public
 2 records not otherwise available to Plaintiff due to the prior orders
 3 of injunctive relief. Plaintiff shall not seek to obtain public records
 4 in this litigation absent an agreement between the parties that the
 5 records are relevant to the pending litigation or the entry of an
 6 order by this Court that the records are discoverable in the pending
 7 litigation;

8 2) Plaintiff shall not make any requests for public records relating to
 9 any of the named Defendants, Kenneth R. Brodhead; Linda W.
 10 Belanger; Kevin Walker, And Christopher Bowman, Cause No.
 11 CV-13-5038-EFS; Walter End, Cause No. CV-13-5036-EFS; of
 12 Katrina Suckow, Bonnie Klahn, Thomas Roe, and Dana O.
 13 Fayette, Cause No. 13-5038-EFS, or make any requests for public
 14 records on any employees of the Washington State Attorney
 15 General's office;

16 3) Plaintiff shall not maintain any personal addresses or personal
 17 information on any of the named Defendants, and Plaintiff shall
 18 not disseminate in any manner any personal information on the
 19 named Defendants in the pending litigations;

20 4) Plaintiff shall not contact or attempt to contact any named
 21 Defendant directly, by mail, or through any third party;

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ORDER OF PROTECTION

- 1 5) Plaintiff shall not solicit third parties, relatives, or others to make
2 any contact or requests prohibited by this order on his behalf.
- 3 6) Any requests relating to the pending litigations shall be made
4 through written discovery requests made to counsel for the
5 Defendants as permitted by the court rules.
- 6 7) The court orders that Defense counsel is not required to confer in
7 person or by phone with Mr. Troupe. In the event a discovery
8 dispute occurs between the parties or the court rules require
9 communication between the parties, any obligation to confer under
10 CR26(i) or other rules shall take place by the exchange of written
11 correspondence. The responding party shall have at least 14 days
12 to respond in writing.
- 13 8) Plaintiff shall limit contact with Defense counsel to issues related
14 to the pending litigations. Any new issues Plaintiff has with the
15 Department of Corrections not related to the litigation shall be
16 addressed directly to the appropriate channels within the
17 Department of Corrections.
- 18 9) This order shall apply to all actions filed by Plaintiff Troupe in the
19 U.S. District Court Eastern District of Washington. Violation of
20 this order by Plaintiff can result in sanctions to be determined by

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1 the Court and potentially including the dismissal of the litigation for
2 misuse of the litigation process.

3 DONE this 15th day of May, 2014.

4 s/ Edward F. Shea

5 HONORABLE EDWARD F. SHEA

6 Presented by:

7 ROBERT W. FERGUSON
8 Attorney General

9 s/Amy C. Clemmons

10 AMY C. CLEMMONS, WSBA# 22997,
11 OID # 91106

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18 E-mail: AmyC2@atg.wa.gov

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ORDER OF PROTECTION

PROOF OF SERVICE

I certify that I electronically filed and served a copy of this document using the CM/ECF filing system and sent a copy of such filing in the U. S. mail to the non-ECF participant to the following:

DAVID TROUPE, DOC # 765714
Washington Correction Center
PO Box 900
2312 W. Dayton Airport Rd
Shelton, WA 98584

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED this _____ day of April, 2014, at Spokane, Washington.

s/Amy C. Clemmons
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